

Consumer Complaint Orders - Issued 1999

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE COMPLAINT FILED BY THOMAS THOMPSON, SIOUX FALLS, SOUTH DAKOTA, AGAINST NORTHERN STATES POWER COMPANY REGARDING POOR SERVICE)))))	ORDER FINDING NO PROBABLE CAUSE AND CLOSING DOCKET CE99-003
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On July 26, 1999, the South Dakota Public Utilities Commission (Commission) received a complaint from Thomas Thompson, Sioux Falls, South Dakota (Complainant), against Northern States Power Company (NSP) regarding poor service. Complainant alleges that when a utility line was severed during construction, he called NSP and NSP did not respond in a timely manner.

Pursuant to ARSD 20:10:01:08.01 and 20:10:01:09, if a complaint cannot be settled without formal action, the Commission shall determine if the complaint shows probable cause of an unlawful or unreasonable act, rate, practice or omission to go forward with the complaint.

On August 17, 1999, a regularly scheduled meeting, the Commission considered the matter along with comments from NSP'S counsel, Neil Fulton and Staff counsel, Camron Hoseck. Commission Staff recommended a finding of no probable cause and further advised of its position that the Commission lacked jurisdiction to determine claims for monetary damages against NSP in this docket.

The Commission generally has jurisdiction over this matter pursuant to SDCL 49-34A and ARSD 20:10:01:08.01 and 20:10:01:09; however, it lacks jurisdiction to determine claims for monetary damages against NSP in this docket. The Commission unanimously voted to find no probable cause, to dismiss the complaint and close the docket. It is therefore

ORDERED, that probable cause has not been found in this matter and that the complaint shall be dismissed and the docket closed.

Dated at Pierre, South Dakota, this _____ day of August, 1999.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.

By: _____

Date: _____

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

JAMES A. BURG, Chairman

PAM NELSON, Commissioner

LASKA SCHOENFELDER, Commissioner

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